

109TH CONGRESS
2D SESSION

S. 2649

To direct the Secretary of Commerce to provide emergency disaster assistance to mitigate the economic losses caused by the declining Klamath River salmon and to develop and implement a research and recovery plan for Klamath River salmon, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 25, 2006

Mrs. BOXER (for herself, Mr. WYDEN, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To direct the Secretary of Commerce to provide emergency disaster assistance to mitigate the economic losses caused by the declining Klamath River salmon and to develop and implement a research and recovery plan for Klamath River salmon, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Salmon Assistance and
5 Recovery Act of 2006”.

1 **SEC. 2. IMPLEMENTATION OF KLAMATH RIVER SALMON**
 2 **PROTECTION MEASURES AND DISASTER RE-**
 3 **LIEF.**

4 (a) KLAMATH RIVER FALL CHINOOK AND COHO
 5 SALMON PROTECTION MEASURES.—

6 (1) IN GENERAL.—The Secretary of Commerce
 7 shall develop and implement a coordinated, com-
 8 prehensive research and recovery program for Klam-
 9 ath River Fall Chinook salmon and Klamath River
 10 Fall Coho salmon.

11 (2) PROGRAM FEATURES.—The program shall
 12 be designed to study or implement—

13 (A) in-river monitoring of *Ceratomyxa*
 14 Shasta and *Parvicapsula minibicornus*, and im-
 15 plementation of any immediate protective meas-
 16 ures against such pathogens;

17 (B) additional ocean and in-river fisheries
 18 population monitoring;

19 (C) completion of a recovery plan for Coho
 20 salmon on the Klamath River;

21 (D) operation and maintenance of stream
 22 gauges for flow monitoring on the Klamath
 23 River and its tributaries, including the Shasta,
 24 Scott, Salmon, and Trinity Rivers;

25 (E) fish passage in the Klamath National
 26 Forest and Six Rivers National Forest; and

1 (F) restoration of aquatic habitats in the
2 Klamath River basin, with emphasis on the
3 Klamath River and its tributaries below Iron
4 Gate Dam.

5 (3) DEADLINE FOR ISSUANCE OF RECOVER
6 PLAN.—Not later than 6 months after the date of
7 the enactment of this Act, the Secretary of Com-
8 merce shall complete and make available to the pub-
9 lic the recovery plan described in paragraph (2)(C).

10 (4) AUTHORIZATION OF APPROPRIATIONS.—

11 (A) IN GENERAL.—There is authorized to
12 be appropriated to the Secretary of Commerce
13 to implement the program developed under this
14 subsection \$45,000,000, which shall remain
15 available until expended.

16 (B) LIMITATION ON USE OF FUNDS.—
17 None of the amounts appropriated pursuant to
18 the authorization of appropriations in subpara-
19 graph (A) may be distributed prior to the date
20 the Secretary of Commerce completes and
21 makes available to the public the recovery plan
22 described in paragraph (2)(C).

23 (b) EMERGENCY DISASTER ASSISTANCE.—

24 (1) AUTHORIZATION OF PAYMENTS.—The Sec-
25 retary of Commerce shall make a direct payment to

1 the Pacific States Marine Fisheries Commission to
2 distribute to fishing communities, Indian tribes,
3 businesses, holders of community development
4 quotas issued under the Magnuson-Stevens Fishery
5 Conservation and Management Act (16 U.S.C. 1801
6 et seq.), individuals, and other entities as emergency
7 disaster assistance to mitigate the economic losses
8 caused by declining Klamath River Fall Chinook
9 salmon.

10 (2) PAYMENT RECIPIENT REPORTS.—The Sec-
11 retary of Commerce shall require that the Pacific
12 States Marine Fisheries Commission shall, not later
13 than 6 months after the date that the Commission
14 receives a payment under this subsection, submit to
15 the Secretary of Commerce and the Committee on
16 Appropriations of the Senate and the Committee on
17 Appropriations of the House of Representatives a re-
18 port describing the persons to whom the payment
19 was distributed and the rationale for such distribu-
20 tion.

21 (3) AUTHORIZATION OF APPROPRIATIONS.—
22 There is authorized to be appropriated to the Sec-
23 retary of Commerce \$81,000,000 to make payments
24 under this subsection. Any amount appropriated
25 pursuant to this subsection that is not used or oth-

1 erwise obligated shall be returned to the general
2 fund of the Treasury.

3 (c) REPORTS.—Not later than one year after the date
4 of the enactment of this Act, and annually thereafter, the
5 Secretary of Commerce shall submit to Congress a report
6 on the progress made to implement subsection (a). Each
7 report shall specifically described the manner in which
8 projects carried out under subsection (a) have increased
9 water quantity, improved water quality, increased salmon
10 populations, and specifically benefitted salmon spawning
11 habitat.

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